

Message Text

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ORIGIN EB-07

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R 102334Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ

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STADIS////////////////////////////////

E.O. 11652: N/A

TAGS: EINV, EAGR, BL

SUBJECT: CHARLES STOKES OPIC INSURANCE APPLICATION

REF: LA PAZ 4488

1. AS YOU ARE AWARE, DEPARTMENT'S FEBRUARY 4 MEMO TO OPIC DISAPPROVED ORIGINAL STOKES APPLICATION ON THE GROUNDS THAT EXPROPRIATION IS A REAL POSSIBILITY AND THAT EXISTING BOLIVIAN LAW WOULD PRECLUDE PROMPT, ADEQUATE AND EFFECTIVE COMPENSATION. BOLIVIAN CIVIL CODE REFERENCE CITED REFTel APPEARS TO MEAN THAT AT LEAST SOME OF THE INVESTMENT UNDER STOKES REVISED PROPOSAL WOULD BE INCLUDED IF HIS RANCH WERE EXPROPRIATED, BUT IT IS NOT CLEAR FROM ART. 273 THAT THE CATTLE THEMSELVES (THE BULK OF HIS INVESTMENT) WOULD BE INCLUDED. IN ORDER TO APPLY THE ABOVE ARGUMENT TO LIVESTOCK WE WOULD NEED SOME CONCRETE EVIDENCE IN LAW OR PRACTICE THAT CATTLE RAISED FOR BEEF, AS DISTINCT FROM DRAFT ANIMALS OR BEASTS OF BURDEN, WOULD BE TAKEN IN EVENT OF EXPROPRIATION. ANY INFORMATION ON THIS POINT THAT YOU COULD PROVIDE

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WOULD BE USEFUL.

2. IF IT IS NOT REALLY CLEAR WHETHER OR NOT CATTLE WOULD
BE AFFECTED BY AN EXPROPRIATION UNDER EXISTING LEGISLATION,

WE WOULD WANT TO FOCUS ON THE PROVISIONS OF THE NEW
AGRARIAN REFORM LAW, INCLUDING THOSE MENTIONED REFTEL.
REQUEST, THEREFORE, THAT YOU APPEND TEXT OF DRAFT LAW TO
ANALYTICAL AIRGRAM YOU ARE PREPARING. INGERSOLL

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Message Attributes

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